

Remarks

The Applicant respectfully requests reconsideration of the present U.S. Patent application as amended herein. No claims have been amended, added, cancelled, or withdrawn in this response. Thus, claims 1-6 and 11-27 remain pending in the application.

Claim Rejections § 103

Claims 1-6 and 11-27 were rejected under 35 U.S.C. § 103(a) as being obvious in view of U.S. Patent No. 6,418,503 issued to Moertl et al. (*Moertl*). For at least the reasons set forth below, that Applicant submits that claims 1-6 and 11-27 are patentable over *Moertl*.

The Manual of Patent Examining Procedure (“MPEP”), in § 706.02(j), states:

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second there must be a reasonable expectation of success. Finally, **the prior art reference (or references when combined) must teach or suggest all the claim limitations.** The teaching or suggestion to make the claimed combination and the reasonable expectation of success must be both found in the prior art and not based on applicant’s disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

(Emphasis added). Thus, the MPEP and applicable case law require that the Office action establish that a combination of references teach or suggest **all of the claim limitations** of rejected claims to sustain an obviousness rejection under 35 U.S.C. § 103.

As shown below, Applicants respectfully submit that the Office action does not establish a *prima facie* case of obviousness.

Independent claim 1 recites:

A computer chipset comprising:

an identifier module to add a first sequence identifier to each transaction in a first ordered sequence of transactions and to add a second sequence identifier to each transaction in a second ordered sequence of transactions, and to **combine the first and second ordered sequences of transactions into a combined ordered sequence of transactions**; and

a router to separate the combined ordered sequence of transactions into two ordered queues based on the sequence identifiers associated with the transactions.

(Emphasis added). Independent claims 11, 20, and 23 similarly recite the combination of ordered sequences into a combined ordered sequence of transactions.

The Office action states that *Moertl* discloses that, “ordered transactions ... [are] sent over the bus 115 in [an] interleaved/combined fashion.” The Applicant respectfully disagrees. *Moertl* discloses “an internal arbiter” that “determines which of the eight secondary nodes ... will gain access to the primary bus.” See, e.g., Column 3, lines 54-65. *Moertl* further suggests that “a round-robin approach” is implemented in “each arbiter.” See, e.g., Column 4, lines 10-18. *Moertl* teaches away from “combin[ing] the first and second ordered sequences of transactions into a combined ordered sequence of transactions” because it discloses a round robin arbitration scheme for controlling access to the bus. Thus, the Applicant respectfully submits claims 1, 11, 20, and 23 are patentable over *Moertl* for at least the reason that *Moertl* teaches away from “combin[ing] the first and second ordered sequences of transactions into a combined ordered sequence of transactions.”

Claims 2-5 depend from claim 1; claims 12-19 depend from claim 11; claims 21-22 depend from claim 20; and claims 24-25 depend from claim 23. For at least the reason that dependent claims include the limitations of the claims from which they depend, the Applicant respectfully submits that claims 2-5, 12-19, 21-22, and 24-25 are patentable over *Moertl*.


Conclusion

The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present application.

Respectfully submitted,

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